

REMARKS:

In response to the Office Action mailed February 6, 2007, an Amendment was filed on June 1, 2007. The Examiner issued a Notice of Non-Compliant Amendment indicating that the Amendment filed June 1, 2007 failed to meet the requirements of 37 CFR § 1.121.

For convenience of the Examiner, arguments and amendments presented in the Amendment filed June 1, 2007 are incorporated herein. Thus, the Examiner is respectfully requested to disregard the Amendment of June 1, 2007.

RESPONSE TO NOTICE OF NON-COMPLIANT:

In the Notice, the Examiner indicated that the Applicant should specifically point out the support for the Amendment filed on June 1, 2007.

Proper support for the claim amendments of June 1, 2007 can at least be found on page 4, line 5-25; page 14, lines 23-25; page 15, lines 10-17; page 17, lines 1-12; page 18, line 18 through page 19, line 15; and in Figs. 3, 5, 7, 9 and 10 of the Specification as filed.

For example, as shown in FIG. 7 of the present application, a user is able to move image display frame 32c displayed as frame 3 and insert the same to be displayed as frame 1. As such, the "sequence of images is adjusted responsive to a display order indicated by the user", as recited in amended claims 1, 7, 12 and 16.

Although specific portions of the Specification are mentioned above, Applicants respectfully submit that the amendments to the claims are supported by detailed description throughout the Specification.

* * * * *

In the outstanding Office Action mailed February 6, 2007, the Examiner rejected claims 1, 4, 5, 7-9, 12-14 and 16. Claims 1, 4, 7, 8, 12, 13 and 16 are amended herein, and new claim 17 is added. Claim 15 is cancelled without prejudice. No new matter is presented. Claims 2, 3 and 6 stand cancelled and claims 10 and 11 remain withdrawn.

Thus, claims 1, 4, 5, 7-9, 12-14, 16 and 17 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 102(e):

Claims 1, 7, 12 and 16 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,515,704 (Sato).

On page 3 of the outstanding Office Action, the Examiner asserts that Sato teaches insertion of an image at a desirable position when placing a newly captured image in the subwindow (102) which previously held the oldest captured image. However, Sato only updates the subwindow (102) with a new image photographed (see, col. 6, line 55 through col. 7, line 6), regardless of where the user desires to position or place the newly photographed image.

In particular, the thumbnail images in Sato are displayed in subwindows (102-113) in a clockwise direction every time a new image is photographed (see, col. 5, lines 10-16 and FIG. 4), or at a predetermined window set as the initial position of the sequence of the subwindows (see, col. 6, lines 35-39). As such, Sato displays the newly photographed image in the subwindow prescribed independent of a user's desire and requires the user to have knowledge of arrangement of the thumbnails to view a particular image desired by the user.

In the outstanding Office Action, the Examiner asserts that that the control section (7) in Sato inherently detects the photographing instruction from the operating section (12), and further the system inherently moves the oldest captured image to the next index page. Applicants respectfully traverse the Examiner's statement and point out that inherency may not be established by probabilities or possibilities. As discussed in detail below, Sato does not perform operations of the claimed invention, and thus does not inherently or explicitly teach or suggest the claimed invention.

In contrast to Sato, the claimed invention enables a user to flexibly display a photographed image in an order specified by the user among a sequence of images.

Independent claim 1, by way of example, recites, "generating image data from the image when detecting the photographing instruction" and "inserting the image data in a position among said sequence of images, where said sequence of images is adjusted responsive to a display order indicated by a user."

Similarly, claims 7 and 12 recite, "inserting the image data in a position among said sequence of image data, where said sequence of the image data is adjusted responsive to a display order indicated by a user."

Independent claim 16 recites, “acquiring the image from the image acquisition device and generating image data related to the acquired image”, where the image data is “automatically stored at a selected position of the displayed sequence of stored image data in accordance with a user’s instruction when the image is acquired” and the sequence of the image data is “adjusted responsive to a display order indicated by the user.”

Sato does not teach or suggest each and every one of the above-identified features including arranging the image photographed in “a position among said sequence”, where the sequence of images is “adjusted responsive to a display order indicated by a user”, as recited in each of the independent claims 1, 7, 12 and 16.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103(a):

Claims 4, 5, 8, 9, 13 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato and/or U.S. Patent No. 5,943,050 (Bullock).

The above-presented arguments pertaining to the independent claims are incorporated herein to address the rejection of claims depending therefrom.

The Examiner acknowledges that Sato fails to specifically disclose that the images are input from an outside device to the display, but relies on Bullock as teaching the same. However, Bullock only displays a captured image adjacent to an image capture window (see, col. 6, lines 3-6, FIGS. 5 and 6 and corresponding text) and requires a user unsatisfied with the quality of the image(s) to manually select and discard a selected image from images displayed (see, column 6, lines 3-6).

As mentioned above, Sato restricts arrangement of a newly captured image in a specific one of the subwindows.

In contrast, claim 4 recites, “the inserting unit inserts the image data in the position between the images of said sequence of images, the image data already displayed are shifted frame by frame in a predetermined direction and thus displayed.” Claims 8 and 13 recite similar features.

Claim 5 recites, “the image acquisition device is an outside device.” Dependent claims 9 and 14 recite similar features.

Sato and Bullock, alone or in combination, do not teach or suggest the above-identified features of the dependent claims.

Therefore, withdrawal of the rejection is respectfully requested.

NEW CLAIM:

New claim 17 has been added to recite, "generating image data corresponding to images photographed and displaying said images" and "sorting said images according to an order identified by a user prior to said displaying and providing the images in accordance with said sorting", where "said order is based on an attribute of an image among said images photographed."

Sato and Bullock, alone or in combination, do not teach or suggest the above-discussed features including "sorting said images according to an order identified by a user prior to said displaying", where "said order is based on an attribute of an image among said images photographed", as recited in claim 17.

It is submitted that new claim 17 is patentably distinguishable over the cited references.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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